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**ORIGINAL**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

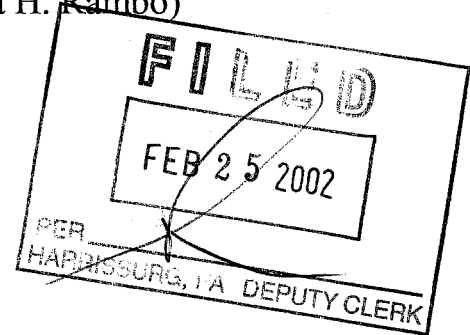
JENNIFER L. BOWSER,  
Plaintiff,

vs.

APPLEBY WINDOW SYSTEMS,  
INC. and SHANE F. deGARAY,  
Defendants.

No. CV 01-0741

(Judge Sylvia H. Rambo)



**MOTION FOR ENLARGEMENT OF TIME**  
**TO COMPLETE DISCOVERY**

AND NOW, TO WIT comes Plaintiff by and through her attorneys, Blakey, Yost, Bupp & Rausch, LLP, and files this Motion for Enlargement of Time to Complete Discovery, the following of which is a statement:

1. This action was initiated by Complaint filed on April 27, 2001.
2. Both Defendants responded to the Complaint by filing Motions to Dismiss, which proceeded in due course and were resolved by Order dated August 16, 2001.

3. On August 13, 2001, Plaintiff served her required disclosures pursuant to Federal Rule of Civil Procedure 26 on Defendants.

4. On August 24, 2001, the parties participated in a Case Management Conference, the result of which was a Case Management Order, which set a discovery deadline of February 28, 2002.

5. Plaintiff diligently proceeded with discovery.

6. On September 17, 2001, Plaintiff was served with Defendant Appleby's required disclosures pursuant to Federal Rule of Civil Procedure 26.

7. On September 14, 2001 Plaintiff was served with Defendant deGaray's required disclosures pursuant to Federal Rules of Civil Procedure 26.

8. Plaintiff served Interrogatories and Requests for Production of Documents on Defendant Appleby on September 5, 2001. Those discovery requests were answered on November 30, 2001.

9. Plaintiff served Interrogatories and Requests for Production of Documents on Defendant deGaray on September 4, 2001. Those discovery requests were answered on October 30, 2001.

10. Depositions were conducted on December 11, 13, and 20, 2001. One of the depositions scheduled for December 20, 2001 had to be postponed, and these depositions resulted in the need for additional depositions.

11. Attempts to schedule depositions of two witnesses began on January 3, 2002. Due to scheduling conflicts, those depositions did not take place until February 15, 2002.

12. On February 7, 2002, Defendant Appleby issued a subpoena for a deposition, which took place on February 14, 2002.

13. On February 8, 2002, Defendant deGaray issued a subpoena for a deposition, which also took place on February 14, 2002.

14. The four most recent depositions have resulted in the potential need for further depositions, including Nathan Minnich and Rebecca Wingert, former co-workers of Plaintiff.

15. The four most recent depositions have resulted in requests for additional documentation from the Defendant Appleby, including:

- a. An update of Defendant deGaray's personnel file;
- b. Kenneth Hoke's disciplinary action from February 1998 for sexual harassment;
- c. Christopher Baker's disciplinary action for sexual harassment;
- d. Appleby's Department of Human Resources training video and packet;
- e. The personnel file of William Braswell, a co-worker of Plaintiff.

16. On February 5, 2002, Defendant Appleby sent subpoenas to the following entities for return on February 20, 2002:

- a. Penn State Milton S. Hershey Medical Center;
- b. York Women's Health Center;
- c. Fabco Steel Incorporated;
- d. Yorktowne Family Medicine;
- e. Damon's Clubhouse;
- f. Spherion;
- g. Smith Village.

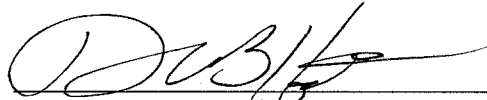
It is Plaintiff's belief that not all responses to these subpoenas have been received. Plaintiff has not received any response from the Defendants. It is reasonable to believe that the documents produced under these subpoenas may lead to the need for further discovery.

17. In addition, the undersigned counsel just received a facsimile copy of two (2) more subpoenas to the York Hospital Mother Child Clinic.

18. In order to complete the discovery resulting from the February 14 and 15, 2002 depositions and the February 20, 2002 subpoenas, Plaintiff requests a sixty-day extension to the discovery deadline, and all other times appropriately extended as well.

WHEREFORE, Plaintiff respectfully requests this Honorable Court grant a sixty-day extension to the discovery deadline.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'D. B. Hoyt', is written over a horizontal line.

Donald B. Hoyt, Esquire  
Supreme Ct. I.D. #18061  
Stacey R. MacNeal, Esquire  
Attorneys for Plaintiff  
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CERTIFICATE OF NON-CONCURRENCE

I, Donald B. Hoyt, Esquire, hereby certify that opposing counsel does not concur in the filing of the foregoing Motion for Enlargement of Time to Complete Discovery.

  
Donald B. Hoyt, Esquire

Dated: February 21, 2002

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: No. CV 01-0741  
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: (Judge Sylvia H. Rambo)  
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CERTIFICATE OF SERVICE

AND NOW, this 21<sup>st</sup> day of February, 2002, the  
undersigned does hereby certify that [s]he has served a true and correct copy  
of the foregoing, by first class mail on the persons indicated below.

Rory O. Connaughton, Esq.  
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BLAKEY, YOST, BUPP & RAUSCH, LLP

By: 

Donald B. Hoyt, Esquire